

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71955 of 2018

Arising Out of PS. Case No.-492 Year-2015 Thana- PHULWARISHARIF District- Patna

Upendra Rai S/O Sri Chandrika Prasad Singh @ Sri Chandrika Rai resident of
mohalla Chinauti Kuan, Guar Toli, P.S. Phulwarisharif, District Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh
For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with S.T.
No.732 of 2016 arising out of Phulwarisharif P.S.Case No.492
of 2015 registered for offences punishable under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Allegation against the petitioner is of firing on his wife
causing her death and when the police went to apprehend him
he fired on the police personnel and in retaliation, the police
also fired on him.

Submission of the learned counsel for the petitioner is
that he is in custody since 17.7.2015 and in the police encounter
he has received injuries on his spine and he is unable to move



for discharge of his daily routine and that has been considered by the Co-ordinate Bench in a case filed by the petitioner bearing Cr. Misc. No.44938 of 2017 and vide order dated 5.9.2018 passe din Cr. Misc. No.44938 of 2017 the petitioner was granted bail in that case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IXth, Patna in connection with S.T.No.732 of 2016 arising out of Phulwarisharif P.S.Case no.492 of 2015..

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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